

STONE MAGNANINI

COMPLEX LITIGATION

September 20, 2022

VIA CM/ECF

Hon. Judith C. McCarthy
United States Magistrate Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: Hayden v. IBM, et al., Case No. 7:21-cv-02485-VB-JCM

Dear Judge McCarthy:

We represent Plaintiff in the above-referenced matter. Pursuant to the Court's rulings made on the record during the September 15, 2022 discovery conference, we conferred with Defendants' counsel and now submit a joint proposed Third Revised Scheduling Order for Your Honor's consideration and approval. Plaintiff has agreed to this ambitious schedule with the understanding that Defendants will work diligently to complete their productions with enough time for Plaintiffs to meaningfully begin to take fact depositions within the period allotted for fact discovery. If necessary Plaintiff will be prepared to discuss this in additional detail at the October 12, 2022 conference.

We also write to request additional pages for the letters the Court ordered to be filed on September 23, 2022 and September 30, 2022, which must set forth the remaining discovery issues relating to the requests for production. The Court's September 16, 2022 Order setting forth procedures to be followed for the resolution of discovery disputes in this case limits letter briefs to two (2) double-spaced pages. In order to present properly all of the remaining discovery issues in this complex litigation, including the material referenced in Plaintiff's Binder

given to the Court and opposing counsel at the September 15, 2022 discovery conference – which are still the subject of ongoing meet and confers – Plaintiff respectfully requests leave to submit a letter brief not to exceed five (5) double-spaced pages; Defendants do not object to this request as long as they receive the same length of pages to respond.

Thank you for your prompt attention and consideration.

Respectfully submitted,

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